

REMARKS

Claims 1-58 are in the application. Claims 1-58 were rejected in view of Fallside combined with Klimenko and Hayes (and a number of additional references).

With respect to the objection to the specification, Applicant respectfully traverses this objection at this time. While Applicant appreciates the noting by the Examiner of three related applications 09/611,775, 09/746,107 and 09/746,519 (which disclose and claim related subject matter to the invention described and claimed herein), at this time Applicant states that the status of these applications is unchanged. Namely, all three related applications remain pending. If there are any questions regarding this issue, Applicant's attorney requests an opportunity to discuss such matters with the Examiner by telephone.

Applicant has amended certain of the claims to address certain informalities that were noted in a review of the claims. Applicant submits that the amendments herein address the Section 112 matter noted by the Examiner in connection with claim 27. Applicant thanks the Examiner for the careful review of the claims that resulted in the identification of certain of these informalities which are corrected herein.

While Applicant respectfully traverses the rejections in view of Fallside in combination with Klimenko, Hayes, and the other references, Applicant has chosen to clarify the claims to emphasize certain fundamental distinctions over the cited references. As all rejections were premised on an analysis of the Fallside reference in combination with Klimenko and Hayes, Applicant submits that, for at least the reasons set forth below, such a combination of the references is readily distinguishable from the invention defined by the presently pending claims, whether or not combined with the other remaining references, and all claims should be allowable.

In particular, Applicant submits that an application of the Hayes reference to the teachings of the Fallside and Klimenko references would appear to result in a combination that teaches away from the invention defined in the presently pending claims, for at least the reasons set forth herein.

Initially Applicant wishes to point out, as noted by the Examiner, that the Fallside reference does not, for example, disclose or suggest filtering packets in accordance with a

first set of filtering rules based on first configuration data, filtering packets in accordance with a second set of filtering rules based on second configuration data, etc. Fallside discloses an FPGA-based communications access point that can be reconfigured, but does not contain any suggestion of updating packet filtering rules based on updated configuration data, etc. Klimenko relates to a system for network booting of an operating system on a client computer through a networked connection to a server, but (like Fallside) neither discloses or suggests a PLD-based device for packet filtering in accordance with first and second configuration data as in Applicant's invention.

Applicant appreciates the Examiner's recognition of such clear distinctions of Applicant's invention over the Fallside and Klimenko references. Applicant wishes to point out, however, that it is not at clear how/why one of skill in the art would attempt a combination of Fallside and Klimenko as would be necessary for a rejection of the pending claims. Moreover, Applicant submits that the proposed combination of Fallside and Klimenko with Hayes is even farther removed from what one of skill in the art would contemplate, at least insofar as would be required to properly reject Applicant's claims.

The Hayes reference is directed to a dual mode computer system bus access blocker circuit (see, e.g., col. 4, lines 35-44). The Hayes 'switching circuit' that performs this blocking function is located on the system bus between a node (or group of nodes) and the rest of the system bus (see, e.g., Fig. 1), and when activated, the Hayes circuit blocks all access between the nodes and the system bus. Before a transaction may pass through the Hayes circuit, it must be reinitiated (see, e.g., col. 4, lines 39-44).

If such a switching approach were combined with the other references in a manner that would relate to a method for filtering packets received from a network (again, it is not clear how one of skill in the art would do this), Applicant submits that the result would teach away from Applicant's invention. As one example, when in filtering mode, as the allowable transactions would only be recognized upon a blocking process, they would need to be reinitiated by the source every time they were to successfully pass through the filter. In contrast to the present invention, this would be extremely inefficient and not a technique that one of skill in the field of data networking would seek to employ. As another example, the cited combination would likely result in a system that blocks all

transactions, or allows all transactions, but would not allow the conditional transmittal of packets based on filtering rules. Applicant submits that such a combination would be inefficient and likely non-operative, and again is not a combination that one of skill in the art of data networking would be likely to employ. Such a combination simply would not result in the PLD-based packet filtering methods of the claimed invention.

Applicant respectfully submits that the cited combination is unlikely to be one that one of skill in the art would find any motivation to carry out. In addition to the problems of lack of any clear teaching as to how this combination would be carried, the undesirable operation that would result would actually lead the artisan away from Applicant's invention.

Finally, Applicant notes that it is still reviewing whether or not Fallside is in fact prior art to Applicant's invention. While Applicant does not admit that Fallside is in fact prior art to Applicant's invention, and Applicant may demonstrate in the future that Applicant's invention predates Fallside, Applicant has chosen herein to emphasize the clear distinction of the claimed invention over the cited combination of references.

Reconsideration and allowance is requested.

Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251.

No new matter has been added.

Respectfully submitted,



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